IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL No. 1953 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/11/2004 in WP No. 21808 OF 2004 on the file of the High Court.)

Between:

Mohd. Zakeera Sultana, D/o. M. Habeebulla Khan,
R/o. 6/MIG, Gachibowli, Housing Board Colony, Phase-1,
R.R.District.

..... APPELLANT

AND

1. The Vice Chairman and Housing Commissioner, Housing Board, Hyderabad.
2. The Executive Engineer, Housing North Division, APHC. Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: Mr.AKELLA.SREENIVAS RAO

Counsel for the Respondents: MR.J.PRABHAKAR

SC for Housing Board.

The Court at the admission stage made the following :

ORAL JUDGMENT:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

The order of the learned Single Judge declining to grant any stay in the Writ Petition filed by the appellant is under challenge in this case. The petitioner-appellant is questioning the action of the respondent-Housing Board, owner of the plot, in conducting the auction of a plot adjacent to the petitioner's plot. The petitioner-appellant says that he has offered the admitted amount to the respondents after negotiation, but, respondents, instead of agreeing to the petitioner's request, are continuing with the public auction.

We see no illegality or irregularity in the action of respondents in continuing the public auction. The petitioner-appellant can very well participate in the public auction. The Writ Appeal, therefore, is dismissed.

_____

DEVINDER GUPTA, C.J.

3.12.2004.

_____

M.NARAYANA REDDY, J.

VR.

To

1. The Vice Chairman and Housing Commissioner, Housing Board, Hyderabad.
2. The Executive Engineer, Housing North Division, APHC. Hyderabad.
3. Two CD copies.